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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/917,392

07/27/2001

Kevin J Conner

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HONEYWELL INTERNATIONAL INC.  
101 COLUMBIA ROAD  
P O BOX 2245  
MORRISTOWN, NJ 07962-2245

EXAMINER

HARRISON, CHANTE E

ART UNIT

PAPER NUMBER

2628

MAIL DATE

DELIVERY MODE

10/04/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/917,392

Applicant(s)

CONNER, KEVIN J

Examiner

Chante Harrison

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,7 and 10 is/are rejected.
- 7) ☒ Claim(s) 2,3,5,6,8,9,11 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communications: Amendment and RCE, filed on 8/11/06.
2. Claims 1-12 are pending in the case. Claims 1, 4-6, 7 and 10 are independent claims. Claims 1, 2, 7, 8, 10 and 11 have been amended.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1, 7 and 10 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. Evidence that claims 1, 7 and 10 fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in the reply filed 8/11/06 (pp. 9). In that paper, applicant has stated the prior art differs from the present claimed invention because the prior art does not define the display area where the image is to be displayed, and this statement indicates that the invention is different from what is defined in the claim(s) because the claims recite "defining all of the unusable display areas of the clipped display window".

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over James Hanco, US 7,215,345, 2007.

As per independents claim 1, Hanco discloses determining one or more rectangles, wherein the rectangles define all of the one or more unusable display areas (e.g. interpreted as useable/available display areas) of the clipped display window based on the parameters of the one or more unusable display areas (col. 4, ll. 1-6; Fig. 3); generating an image (col. 4, ll. 47-50; Fig. 5); determining location of components of the generated image relative to the determined one or more rectangles (i.e. analyzing the clip-list to determine visible window portions) (col. 4, ll. 35-45); and rendering the components of the generated image that are determined to be located within the one or more rectangles (i.e. rendering A1, A5 for window A or D1-D5 for the desktop) (col. 4, ll. 47-50; Fig. 3).

Hanco fails to disclose determining trapezoids.

It would have been obvious to one of ordinary skill in the art to include determining trapezoids with the method of Hanco because Hanco teaches determining rectangles, which are four sided polygons, as are trapezoids.

One of ordinary skill in the art would have been motivated to include determining trapezoids with the method of Hanco for the benefit of maximizing the available display area.

As per independent claim 4, Hanco discloses a program for implementing the method claim 1 () the rationale as applied in the rejection of claim 1 applies herein.

As per independent claim 7, Hanco discloses a system (Fig. 8) for implementing the method of claim 1. The rationale as applied in the rejection of claim 1 applies herein.

As per independent claim 10, Hanco discloses a system (Fig. 8) comprising as first component to render an image to one or more unusable display areas (e.g. interpreted as useable/available display areas) (col. 4, ll. 47-50; Fig. 5) of the clipped display window for implementing the method of claim 1. The rationale as applied in the rejection of claim 1 applies herein.

5. Claims 2, 3, 5, 6, 8, 9, 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

6. Applicant's arguments, see pp. 9, filed 8/11/06, with respect to the rejection(s) of claim(s) 1-12 under 35 U.S.C. 102 have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hanks, US 7,215,345, 2007.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chante Harrison whose telephone number is 571-272-7659. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chante Harrison  
Examiner  
Art Unit 2628

Ch  
September 27, 2007

